

### REMARKS

By this amendment, claims 1, 2-3, 5-9, 12, 14-15, 17 and 39 have been amended. Claims 1-12, 14-17, and 39 are pending in the application. Applicants reserve the right to pursue the original claims and other claims in this and other applications.

Claims 1-12, 14-17, and 39 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Reconsideration is respectfully requested. The claims have been amended to overcome each of the concerns raised in the Office Action. The phrase "including a list of ..." is in line with the proposal made by Applicant's undersigned representative during a telephone interview on August 31, 2005. Applicant's representative wishes to thank the Examiner for the courteous and helpful interview. Please note that claim 14 was previously amended on January 25, 2005 to specify "said controlled substances," as suggested by the Office Action dated August 25, 2004.

Further, the term "source of the control," used in claims 3, 9, and 15, and defined in the specification in Fig. 4 and its description at page 21, ln. 6-13, is the organization which designated the compound as a controlled substance. As for claim 12, not all substances on the list can be categorized, but those that are categorizable are assigned a group control ID.

Claims 1-12, 14-17, and 39 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Sturgeon et al. (US 5,664,112). This rejection is respectfully traversed.

Claims 1, 7, 12, and 39 recite, *inter alia*, a method for management of chemical materials comprising the step of "providing a first ...list ...; [and] providing a second ... list of said controlled substances, ... categorized by a group control ID ...", wherein said

group control ID is the same for chemicals to be controlled that include a predetermined common component.” (Emphasis added.) Sturgeon et al. does not teach or suggest this limitation. Sturgeon et al. discloses a method of integrated Hazardous Materials Management (HMM). The HMM grouping monitors consumption of chemicals and chemical mixtures, using process definitions and using manual draw down for non-process consumption (Col. 12, ln. 21-31). Sturgeon et al. discloses many groups, for example Group 1: chemical identification and Group 6: hazard category (Col. 16, ln. 1 – Col. 20, ln. 46). Sturgeon et al. further discloses a “chemical family” field under “Group 1: chemical identification.” Col. 16, ln. 9. However, Sturgeon et al. does not disclose a list of said controlled substances categorized by a group control ID, and wherein said group control ID is the same for chemicals to be controlled that include a predetermined common component.

Since Sturgeon et al. does not disclose all the limitations of claims 1, 7, 12, and 39, claims 1, 7, 12, and 39 are not anticipated by Sturgeon et al. Claims 2-6 depend from claim 1 and are patentable at least for the reasons mentioned above. Claims 8-11 depend from claim 7 and are patentable at least for the reasons mentioned above. Claims 14-17 depend from claim 12 and are patentable at least for the reasons mentioned above. Applicants respectfully request that the 35 U.S.C. § 102(b) rejection of claims 1-12, 14-17, and 39 be withdrawn.

Claims 1-12, 14-17, and 39 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Leal et al. (US 5,311,437). This rejection is respectfully traversed. In order to establish a *prima facie* case of obviousness “the prior art reference (or references when combined) must teach or suggest all the claim limitations.” M.P.E.P. §2142. Leal et al., even when considered in combination with the assertions in the Office Action, does not teach or suggest all limitations of independent claims 1, 7, 12, and 39.

Leal et al. teaches a computerized materials factor tool that includes a database comprising a plurality of materials. Each entry has a plurality of information categories. One category includes a unique identifier for each material. Col. 4, ln. 32-33. However, Leal et al. does not teach that substances are categorized by a group control ID, and wherein said group control ID is the same for chemicals to be controlled that include a predetermined common component. The assertions in the Office Action do not remedy the deficiency of Leal et al.

Since Leal et al. does not teach or suggest all of the limitations of claims 1, 7, 12, and 39, claims 1, 7, 12, and 39 are not obvious over the Leal et al. Claims 2-6 depend from claim 1 and are patentable at least for the reasons mentioned above. Claims 8-11 depend from claim 7 and are patentable at least for the reasons mentioned above. Claims 14-17 depend from claim 12 and are patentable at least for the reasons mentioned above. Applicants respectfully request that the 35 U.S.C. § 103(a) rejection of claims 1-12, 14-17, and 39 be withdrawn.

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Dated: September 8, 2005

Respectfully submitted,

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